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Signed and Filed: September 10, 2021

A handwritten signature in cursive script, reading "Dennis Montali", is written over a horizontal line.

DENNIS MONTALI
U.S. Bankruptcy Judge

*Attorneys for Debtors and Reorganized
Debtors*

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

PACIFIC GAS AND ELECTRIC COMPANY,

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

** All papers shall be filed in the Lead Case,
No. 19-30088 (DM).*

Case No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

**ORDER APPROVING
STIPULATION MODIFYING
PLAN INJUNCTION
(MENDOCINO COUNTY INLAND
WATER AND POWER
COMMISSION)**

1 The Court having considered the *Stipulation Modifying Plan Injunction (Mendocino County*
2 *Inland Water and Power Commission)*, dated September 9, 2021 [Dkt. No. 11214] (the
3 “**Stipulation**”),¹ entered into by PG&E Corporation (“**PG&E Corp.**”) and Pacific Gas and Electric
4 Company (the “**Utility**”), as debtors and reorganized debtors (collectively, the “**Debtors**” and as
5 reorganized pursuant to the Plan, the “**Reorganized Debtors**”) in the above-captioned cases (the
6 “**Chapter 11 Cases**”), on the one hand, and Mendocino County Inland Water and Power
7 Commission (“**MCIWPC**”), on the other hand (collectively, the “**Parties**”); and pursuant to such
8 Stipulation and agreement of the Parties, and good cause appearing,

9 IT IS HEREBY ORDERED THAT:

10 1. The Stipulation is approved.

11 2. Upon the date of the entry of this Order, the Plan Injunction and any potentially
12 applicable Plan provision is modified, to the extent necessary, to permit MCIWPC to pursue the
13 claims asserted or described in the Proof of Claim (including the rights preserved and/or reserved
14 in the Proof of Claim) and any remedies associated therewith outside of these Chapter 11 Cases as
15 if the Chapter 11 Cases had not been commenced.

16 3. Nothing in the Stipulation or this Order is intended, nor shall it be construed, to be a
17 waiver or relinquishment by the Reorganized Debtors or MCIWPC of any rights, claims, causes of
18 action, rights of setoff, counter-claims, objections, arguments, or any legal or equitable defenses
19 (including any rights, claims, causes of action, rights of setoff, counter-claims, objections,
20 arguments, or any legal or equitable defenses that the Parties had immediately prior to the Petition
21 Date), against or with respect to MCIWPC’s claims or otherwise relating to or in connection with
22 the Project or the Contract, other than the Reorganized Debtors hereby waive the effect of any
23 applicable statute of limitation or repose that may have been accruing or accrued from the Petition
24 Date until the date of entry of an order approving this Stipulation (“**Tolled Period**”). For further
25 clarity, the Reorganized Debtors agree that the Tolled Period shall not be included in the

26 _____
27 ¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to
28 them in the Stipulation.

1 calculation of any applicable statutes of limitation or repose, and hereby waive the right to include
2 the Tolled Period in the calculation of any such applicable time period.

3 4. The Reorganized Debtors or their agents are authorized to adjust the claims register to
4 reflect the expungement of the Proof of Claim.

5 5. The Stipulation shall be binding on the Parties and each of their successors in interest.

6 6. The Stipulation shall constitute the entire agreement and understanding of the Parties
7 relating to the subject matter thereof and supersedes all prior agreements and understandings relating
8 to the subject matter hereof.

9 7. This Court shall retain jurisdiction to resolve any disputes or controversies arising
10 from this Order or the Stipulation.

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13 APPROVED AS TO FORM AND CONTENT:

14 Dated: September 9, 2021

15
16 DOWNEY BRAND LLP

17
18 /s/ Jamie P. Dreher

Jamie P. Dreher

19 *Attorneys for Mendocino County Inland*
20 *Water and Power Commission*

21 *** END OF ORDER ***
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